THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 22906 of 2004

Dated:28-09-2005

Between:

B.V. Appa Reddy, S/o Sri Bhaskara Reddy,
R/o Chagantipadu Village, Thotlavalluru Mandal, Krishna District.

..... PETITIONER

AND

The Sub Collector, Vijayawada, Krishna District.and others.

.....RESPONDENT(S)

THE HONOURABLE SRI JUSTICE K.C.BHANU

W.P.NO.22906 OF 2004

ORDER:

This writ petition is filed seeking a mandamus to declare the instructions issued by the 1st respondent in Rc.No./A7/1413/04 dated 11-08-2004 to the 2nd respondent as illegal and arbitrary and consequently direct the respondents to continue the allotment of 1560 litres of Kerosene to the petitioner for the village of Chagantipadu, Thotlavalluru Mandal, Krishna District.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The grievance of the petitioner is that the impugned proceedings dated 11-08-2004 were passed without giving opportunity to him. Though, it is stated by the unofficial respondent that a notice was given on 23-10-2004, the said notice does not relate to the impugned proceedings because the impugned proceedings were passed prior to two months of giving the said notice. Since the right of the petitioner is being effected, the principles of natural justice requiring he should be heard. Hence, the

impugned proceedings are set-aside and the learned Sub-Collector Vijayawada, is directed to pass appropriate orders after giving opportunity to the petitioner as well as the third respondent also within four weeks. It is made clear that till passing of the orders, the respondents 1 and 2 shall supply 480 litres of kerosene to the respondent No.3.

With the above direction, the writ petition is disposed of. No order as to costs.

_____

K.C.BHANU,J

28-09-2005

Stp